

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CR-80022-CANNON/REINHART

UNITED STATES OF AMERICA

vs.

DANIEL M. CARVER, et al.,

Defendants.

---

**GOVERNMENT'S THIRD DISCOVERY STATUS REPORT**

This matter is presently set for trial on July 3, 2023. On November 22, 2022, this Court ordered the government to file a “final Discovery Status report in anticipation of the January 5, 2023, Zoom hearing.” [ECF No. 459]. The government files this report in response to this Court’s order.

To date, the government has made fourteen productions, which include expert disclosures, trial subpoena returns, investigative reports, search warrant material, grand jury subpoena returns, productions from cooperating witnesses, and other Rule 16, *Brady*, and *Giglio* materials.

Since the filing of the second discovery report [ECF No. 348] (filed on October 5, 2022), the prosecution team has made the following discovery productions:

1. ***Production 9 (October 5, 2022)***

- a. Salvation Army Trial Subpoena returns
- b. Additional Grand Jury Subpoenas
- c. Investigative Reports
- d. Mamone Documents from Cooperating Witness F.M.
- e. Documents from Cooperating Witness M.B.
- f. Additional Returns from Fulgent
- g. Additional Claims Data (Medicare)
- h. Locked files from previous productions
- i. Expert Disclosure Records
- j. Records related to Defendant Goyos' S.D. Ill. Matter
- k. Documents from Cooperating Witnesses R.T. and M.B.

1. Complaint filed in *Brigid Barrett v. Danny Carver, et al.*, CACE-21-020694, Circuit Court of the Seventeenth Judicial Circuit, Broward County
2. ***Production 10 (October 13, 2022)***
  - a. Cell phone files – Joseph Mamone
3. ***Production 10A (November 7, 2022)***
  - a. Items related to the search of 1200 North Federal Highway (Boca Raton)
    - i. Investigative reports
    - ii. SW Inventory Records
    - iii. Subpoena returns/proof of service
    - iv. Photographs
4. ***Production 11 (November 9, 2022)***
  - a. Supplemental materials related to Expert Disclosure
  - b. Files Fixed from previous production
  - c. Investigative reports
  - d. Documents from Cooperating Witness J.T.
  - e. Documents related to J.M.
  - f. Search Warrant Photos
  - g. Recording from Attorney R.S.
  - h. Corporate Documents
5. ***Production 12 (December 16, 2022)***
  - a. Lion Medical Production (from *United States v. Luis Perez*, et al.)
  - b. Lucio Oro Production (from *United States v. Lucio Oro*)
  - c. Mamone Productions (from *United States v. John Mamone, et al.*)
6. ***Production 13 (December 30, 2022)***
  - a. Trial Subpoena Returns (Secretary of State records, Securus Technologies, LLC)
  - b. Documents from Cooperating Witness L.P.
  - c. Jose Goyos Prior Statement(s) (S.D. Ill.)
  - d. Documents from M.B. (re: Luis Perez, Mamones)
  - e. Corrupt/Error files from previous production(s)
  - f. Additional Grand Jury Returns
  - g. Investigative Reports

Additionally, since the filing of the second discovery request, Defendants Michael Rozenberg and Ashley Cigarroa have each pled guilty, and Defendant Ethan Macier executed a plea agreement and will schedule a change of plea hearing with the Court. Each of these defendants are cooperating and are being debriefed by the government. As part of those

debriefings, the government is collecting additional evidence from these witnesses as well as compiling other evidence discovered from their involvement in the scheme. The government will produce all newly received (or now relevant) evidence to defense counsel as soon as it becomes available.

Additionally, the government has conducted an inventory of its case file and discovered that: (i) 36,670 files from folder “OJP Sporn Production” were not previously produced<sup>1</sup>; (ii) 545 files from grand jury return LCM-097 have not yet been produced; (iii) 3,377 files from grand jury return LCM-098 have not yet been produced; and (iv) according to production logs accompanying the returns, the government does not have a subset of subpoena returns from Fulgent. We have requested that the entity re-produce these materials. The government will produce these materials as soon as practical.

#### **Special Matters Unit Productions**

On August 31, 2022, the Special Matters Unit (“SMU”) produced non-PPM (potentially privileged material) to all parties, which included approximately 476,707 documents from search warrant returns (Defendant Daniel M. Carver’s cell phone, Google email accounts, and devices and premises searched at 1200 North Federal Highway, Boca Raton, Florida).

The SMU provided the prosecution team with the below update on the status of PPM assertions and review.

- On August 31, 2022, the SMU also produced PPM records to identified privilege holders Daniel Carver, Thomas Dougherty, John Paul Gosney, Michael Rozenberg, Galina Rozenberg, Louis Carver, Ashley Cigarroa, and Jose Goyos. The SMU

---

<sup>1</sup> These documents derive from cooperator M.S. and relate to Defendant John Paul Gosney Jr.’s relationship with a telemedicine and marketing company. The government does not intend to call M.S. as a witness at trial. Nonetheless, out of an abundance of caution, the government is producing these additional documents.

supplemented the production with additional PPM records in November and December 2022. In total, the Filter Team produced 58,701 PPM records to the identified privilege holders.

- To date, the SMU has received privilege logs or statements of non-assertion from all identified privilege holders, except Jose Goyos. The SMU is in the process of producing the 52,683 records over which the identified privilege holders have not asserted privilege.
- On December 29, 2022 and January 3, 2023, the SMU followed up by email with counsel for Mr. Goyos, and as of this filing has not received privilege logs or statements of non-assertion, as required by the Court's May 9, 2022 Protocol Order. The SMU will attempt to meet and confer with Mr. Goyos through counsel, and, if unsuccessful, might move the Court for authorization to produce these records under the Protocol Order.

The Court has scheduled a status conference (via Zoom) for Thursday, January 5, 2023. During which, the government (both prosecution team and SMU representatives) will be available to provide any additional information requested by the Court.

Dated: January 3, 2023

Respectfully submitted,

JUAN ANTONIO GONZALEZ  
UNITED STATES ATTORNEY

GLENN S. LEON, CHIEF  
CRIMINAL DIVISION, FRAUD SECTION  
U.S. DEPARTMENT OF JUSTICE

By: /s/ Patrick J. Queenan  
Patrick J. Queenan (FL Special Bar #A5502715)  
Reginal Cuyler Jr. (FL Bar #0114062)

Andrew Tamayo (FL Special Bar #A5502970)  
Trial Attorneys  
U.S. Department of Justice  
Criminal Division, Fraud Section  
1400 New York Avenue, N.W.  
Washington, D.C. 20005  
Phone: (202) 875-0326  
[patrick.queenan@usdoj.gov](mailto:patrick.queenan@usdoj.gov)  
[reginald.cuyler.jr@usdoj.gov](mailto:reginald.cuyler.jr@usdoj.gov)  
[Andrew.tamayo@usdoj.gov](mailto:Andrew.tamayo@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2023, I served and filed the foregoing document with the Clerk of the Court via CM/ECF.

By: /s/ Patrick J. Queenan  
Patrick J. Queenan  
Trial Attorney  
U.S. Department of Justice